



**2005 Interim  
Wednesday, May 18, 2005**

**LCR 1  
State Capitol  
Pierre, South Dakota**

### **TELECONFERENCE**

The third meeting of the Government Operations and Audit Committee for the 2005 interim was conducted via teleconference and called to order by Chair Representative Ted Klaudt at 10:10 a.m. (CT), May 18, 2005, in Legislative Research Council Conference Room of the State Capitol in Pierre, South Dakota.

A quorum was determined with the following members answering the teleconference roll call: Senators Jerry Apa, William Earley, and Jason Gant; and Representatives Michael Buckingham, Margaret Gillespie, Ted Klaudt, Gerald Lange, and Deb Peters. Senator John Koskan and Garry Moore were excused.

Staff members present included Annie Mehlhaff, Principal Fiscal Analyst, and Teri Retrum, Senior Legislative Secretary.

**(NOTE:** For sake of continuity, the following minutes are not necessarily in chronological order. Also, all referenced documents are on file with the Master Minutes.)

### **Approval of Minutes**

**REPRESENTATIVE LANGE MOVED, SECONDED BY SENATOR EARLEY, THAT THE MINUTES OF THE FIRST MEETING (MARCH 22, 2005) BE APPROVED. The motion prevailed unanimously on a voice vote.**

**REPRESENTATIVE GILLESPIE MOVED, SECONDED BY SENATOR EARLEY, THAT THE MINUTES OF THE SECOND MEETING (MAY 2 AND 3, 2005) BE APPROVED.**

At the request of **Chair Ted Klaudt, Ms. Annie Mehlhaff** read an amendment to the May 2 and 3, 2005, minutes proposed by **Representative Gerald Lange**:

**On page 6, delete the seventh paragraph, and insert:**

**Representative Lange repeated Representative Putnam's statements from the day before by impressing upon the Department of Corrections to make budget requests, when necessary, for additional guards, or other FTEs, and equipment that will maintain the highest level of safety for D.O.C. personnel and inmates.**

**Senator William Earley** expressed opposition to the amendment. Senator Earley stated that he does not approve of including second-hand statements in the minutes.

Representative Lange said that it is an important statement.

**Senator Jerry Apa** and **Representative Michael Buckingham** expressed their agreement with Senator Earley's comments.

**REPRESENTATIVE PETERS MADE A SUBSTITUTE MOTION, SECONDED BY SENATOR EARLEY, THAT ON PAGE 6 OF THE MAY 2 AND 3, 2005, MINUTES, DELETE PARAGRAPH 7. The substitute motion prevailed on a voice vote.**

**REPRESENTATIVE GILLESPIE MOVED, SECONDED BY SENATOR EARLEY, THAT THE MINUTES OF THE SECOND MEETING (MAY 2 AND 3, 2005) BE APPROVED, AS AMENDED. The motion prevailed on a voice vote.**

### **Observations and Recommendations**

In response to meetings held on May 2 and 3, 2005, the committee discussed the following observations and recommendations concerning the Mike Durfee State Prison located in Springfield, South Dakota:

- There is a gap in communications between the administration and the guards, and between the administration and the inmates. The new construction and infusion of new inmates is causing unrest and the details need to be communicated to ease some of the tension associated with the changes.
- Security cameras that would offer additional safety have been purchased, but have not been installed due to electricians working on the new construction and not having available time. The committee feels it is very important to hire outside help to install the cameras and not wait for the completion of the building.
- The radio system is outdated. The committee urges the administration to provide adequate training on the new radios and distribute them as soon as possible.
- ~~The food quality and quantity is inadequate, especially for those who have physically exhaustive jobs. Administration should work with the CBM Food Service to provide larger portions and a more varied menu.~~
- The employment available to the prisoners is lacking. More opportunities need to be made available to the current inmates as well as the new inmates who will be housed at the newly constructed barracks. The committee requests a written report detailing the additional jobs, the number of inmates employed, the number of inmates seeking employment, and the number of inmates that do not want employment, by (date).

**Senator Jason Gant** said that he would like to expand the last bullet to include educational opportunities, such as plumbing, heating and ventilation courses.

Senator Apa said that he has been told that a person has to have an extensive education in math before that person is able to grasp heating and ventilation education courses.

**Representative Deb Peters** said that research proves that if education of prison inmates can be raised even one level, they are more apt to stay out of prison after release.

Representative Buckingham agreed with Representative Peters. He said that it would be worth the effort even if the Department of Corrections (DOC) has to operate a remedial math class.

**SENATOR GANT MOVED, SECONDED BY REPRESENTATIVE PETERS, THAT THE LAST RECOMMENDATION BULLET BE AMENDED TO INCLUDE INCREASED EDUCATIONAL OPPORTUNITIES. The motion prevailed on a voice vote.**

The committee agreed to request a written report from the DOC detailing the additional jobs and increased educational opportunities, the number of inmates employed, the number of inmates seeking employment, and the number of inmates that do not want employment by September 30, 2005.

**SENATOR GANT MOVED, SECONDED BY REPRESENTATIVE PETERS, THAT THE LAST RECOMMENDATION BULLET BE APPROVED, AS AMENDED. The motion prevailed on a voice vote.**

Chair Klautdt informed the committee that **Senator Garry Moore** spoke to him concerning reinstating the recommendation bullet regarding food quality and quantity.

Senator Apa said that the committee has heard from prison nutritionists that the inmates are receiving the proper calories per day and questioned just how much the committee wanted to micromanage this issue.

Senator Earley said that he spoke to **Representative Matthew Michels**, who told him that the Yankton facility required special dietary needs. The facility no longer contracts with CBM Food Service but costs are quite a bit higher. The Redfield facility also requires special dietary needs. Senator Earley said that the committee should not get involved in this issue since it has been documented that the dietary needs are being met.

Chair Klautdt noted that Senator Moore also said he believes that the warden should live in Springfield.

**Representative Margaret Gillespie** said that the committee should not discuss this issue because Warden Dooley has not had a chance to speak to the committee concerning his residency.

Senator Earley agreed.

Representative Buckingham said that he would like to have an addendum to the current recommendation that would include items that are still up for recommendation, such as housing, expanding employment and educational opportunities, and some type of alignment with state educational facilities to allow released prisoners to continue the education that they began in prison.

Chair Klaudt requested that the last bulleted item be split into two items and should read:

- The employment and educational opportunities available to the prisoners are lacking. More opportunities need to be made available to the current inmates as well as the new inmates who will be housed at the newly constructed barracks.
- The committee requests a written report updating the members on the above mentioned recommendations by September 30, 2005.

**SENATOR APA MOVED, SECONDED BY REPRESENTATIVE PETERS, THAT THE COMMITTEE APPROVE THE OBSERVATIONS AND RECOMMENDATION, AS AMENDED. The motion prevailed on a voice vote.**

#### **Next Meeting Date and Adjournment**

The committee set June 14 and 15, 2005, as its next meeting date. The committee also agreed to include June 16, 2005, as a meeting date, if needed.

**SENATOR EARLEY MOVED, SECONDED BY REPRESENTATIVE PETERS, THAT THE TELECONFERENCE BE ADJOURNED. The motion prevailed on a voice vote.**

The teleconference adjourned at 10:45 a.m.



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